



October 11, 2021

Representative Jeff Delzer
Chairman
House Appropriations Committee
600 E. Boulevard Avenue
Bismarck, ND 58505

RE: Proposals for Funding Consideration by the Interim House Appropriations Committee

Chairman Delzer and members of the committee, please accept this written testimony on behalf of the City of Williston in support of funding for Aid to Political Subdivisions.

20. Sponsor: Senator Brad Bekkedahl; Agency: DOT; \$38M for Hwy 2 & 26th St Intersection



Williston is working hard to build a strong, diversified economy that contributes to our state's vitality while providing our residents with a high quality of life.

The City of Williston is requesting \$38M to be allocated to the NDDOT to fully fund the completion of the US Hwy 2 and 26th St Intersection project.

The intersection of US Highway 2 and 26th St W is not only the largest and busiest intersection in Williston at 25,000 trips per day, it is also the gateway to the City's newest mixed-use development, Williston Square, that will transform the quality of life, economic growth and public amenities for our community. Williston Square will be the future home of a medical clinic and hospital, new restaurants and commercial businesses, recreational space, and residential homes.

The project to rebuild the intersection began in 2018 after studying the impacts a new design could bring to Williston Square, while still addressing the aging pavement that was first laid in 1983. The reconstruction project is anticipated to be bid in 2022, with engineer selection currently underway. Since no STIP program funding through the NDDOT was allocated for this project, the deteriorating pavement condition and rapid growth of Williston Square required the City of Williston to finance the project on its own, contingent on the conditions of a financing agreement with the NDDOT.

This agreement stipulated that the City of Williston would:

- finance the entire project, at a total estimated cost of \$38M
- withdraw all urban federal aid project requests from 2021-2024 STIP
- procure all right of way, utility easements and property needed for the project

The NDDOT is obligated to reimburse the City of Williston dependent upon state and federal funding allocations, up to a maximum of \$5M per year, until the eligible costs have been refunded. However, a condition was inserted into this agreement to allow renegotiation of the funding stipulations should a new source of funds be identified. Both the City and NDDOT agreed that *"...if there is a change in funding options available, such as a federal grant, a new agreement on the reimbursement timeline may be negotiated."*

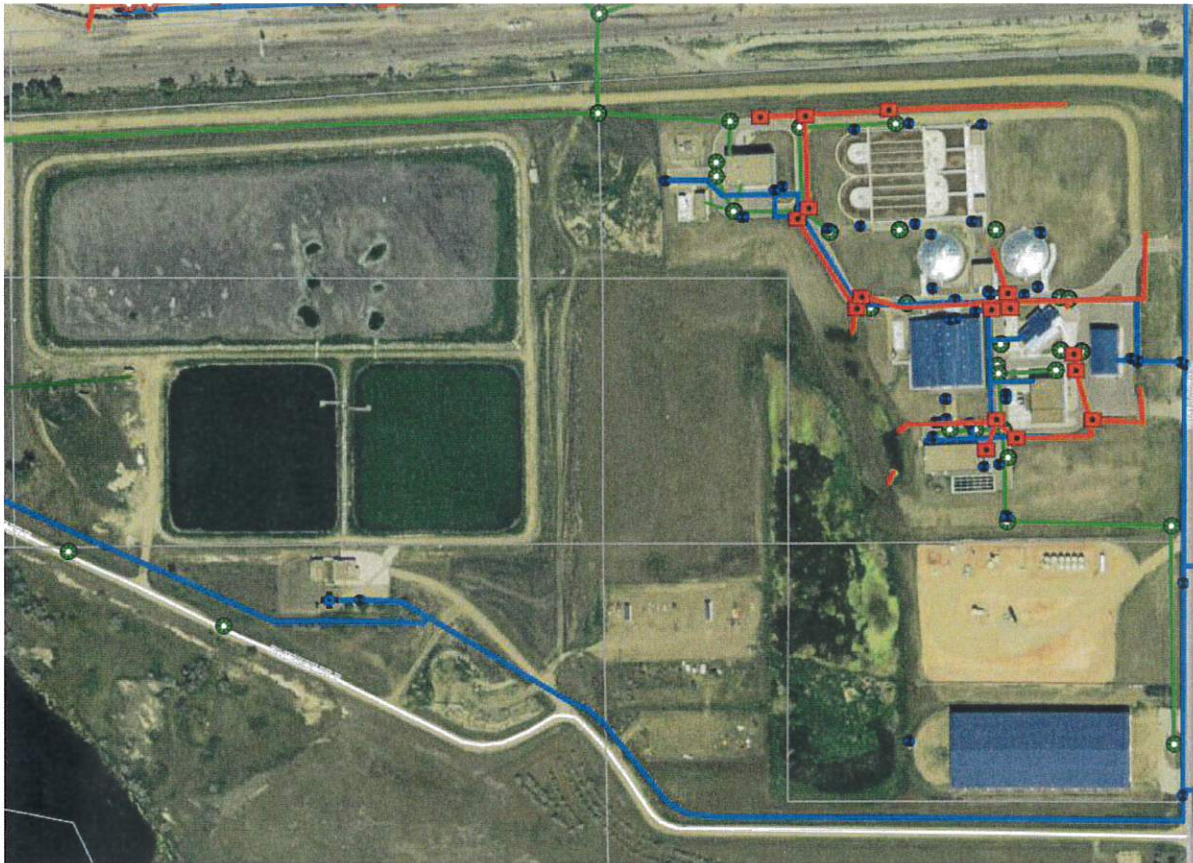
The financing of such a large project represents a substantial debt burden on the City of Williston and comes at the cost of ongoing urban federal aid projects. The City of Williston hereby requests that additional ARPA funds be directed to augment the NDDOT budget in the amount of \$38M to fully fund this project and absolve both the City of Williston and the NDDOT of this financing agreement.

Approving this funding for the NDDOT would:

- reduce the debt burden for the City of Williston
- restore bonding capacity for other essential infrastructure projects
- continue the Williston urban federal aid improvement projects and aging infrastructure replacements
- eliminate financial risk to the City of Williston and budget uncertainty to the NDDOT

The allocation of fund to the NDDOT will make a significant impact to the City of Williston and the feasibility of this essential infrastructure project.

45. Sponsor: Senator Brad Bekkedahl; Agency: State Treasurer; \$17M for Wastewater Treatment Facility Projects (\$9M + \$8M)



We request that a total of \$17M be allocated to the State Treasurer to disburse to the City of Williston for the completion of two essential, federally mandated wastewater projects: environmental remediation of the former lagoon infrastructure (\$9M) and flood protection of the new Water Resource Recovery Facility (\$8M).

The construction of Williston's Water Resource Recovery Facility (WRRF) was one of the area's most vital infrastructure projects, completed in 2016. The WRRF has given the region a greater capacity for wastewater treatment and a higher quality of effluent that could be discharged directly to the Missouri River. At a cost of over \$100M, the new facility accommodates the region's growth and maintains service to the energy industry and our growing population while minimizing environmental impacts and meeting improved state and federal effluent standards. Further, the construction of the WRRF achieves the USACE and EPA's long-term requirements of eliminating treated wastewater discharge to the sensitive Williston Marsh Wildlife Area.

While the debt for this facility was secured with a long-term SRF loan, the debt burden is evidence of the impacts the City experienced while supporting the increase in population and continues with ongoing project costs. A portion of the land upon which the lagoon system sits is leased to the City by the USACE until 2025. Prior to the termination of the lease, the EPA and USACE have required the City to dismantle the structures, remove pipelines, excavate organic material, and backfill the former lagoons.

In addition, FEMA has identified that a protective flood levee must be constructed around the new WRRF as it currently sits in the FEMA designated floodplain. While the USACE Garrison Dam project maintains a local levee surrounding the southern affected area of Williston, it is not FEMA certified and therefore is not recognized as flood protection for the facility. Therefore, in order to meet all federal requirements, a remediation and flood improvement phase must be completed at the WRRF.

The allocation of this funding to the State Treasurer is essential in completing these federally required projects in our community.

Thank you for your time, consideration, and efforts in allocating these much-needed funds.



David N. Tuan
City Administrator
City of Williston